

**LEGAL FIGHT IS  
WAGED  
OVER  
MOTHER'S WILL**

---

Daughters of Mrs.  
Emma

Lee Go to Court to  
Settle  
Dispute

---

A bitter fight between three sisters over \$50,000 estate left by their mother, Mrs. Emma G. Lee, commenced before Judge George L. Bell in superior court Tuesday morning.

The youngest of the sisters, Mrs. Annie La Rue Lee Mizell, 139 East North Avenue, has filed a caveat to the will probated early this year by her older sisters, Mrs. Maude Lee Thompson, 332 Houston Street, and Mrs. Claude Lee Stamps, 318 Washington street.

The will to which exception has been taken divides the estate, which consists principally of realty near Covington, where the Lee family was prominent many years, equally between the three sisters.

Mrs. Mizell, however, asserts it was her mother's intention to leave her the entire estate. The will of her father, the late Lindon Lee, of Covington, provided amply for the older sisters, she asserts, and her mother intended to make her sole heir. Mrs. Mizell has in her possession a will dated about five years ago in which she is named as sole heir. This will, is said to have been invalidated by one alleged to have been signed by Mrs. Lee a few weeks before her death in the spring of this year.

### **DECLARES WILL INVALID.**

Mrs. Mizell charges the will produced by her sisters is not in reality the will of her mother; that if she did sign it, she did not realize what sort of a paper was being handed her by her older daughters, and did not realize that she was disposing of her property.

The trial of the case will probably last several days, but evidence in the form of the deposition of Dr. N. Z. Anderson, the Lees' family physician, has already been introduced by attorneys for Mrs. Mizell, Judge John S. Candler, Asa W. Candler and George Westmoreland, to substantiate this claim. Dr. Anderson states in the deposition that on the afternoon the paper purported to be the will was signed. Mrs. Lee also signed a check, and that she had to be supported in her bed, so weak was she when both papers were signed.

The propounders of the will are represented by Attorneys Luther Z. Rosser and Stiles Hopkins.

A demurrer to the caveat was argued when the case was first put on trial and a unique feature of the argument was that in supporting his contentions Attorney Rosser quoted from a decision written by the opposing counsel, Judge Candler, when he was on the supreme court bench.

---

## **PDF PAGE 3, COLUMN 2**

---

# **SUPREME COURT OF GA.**

Atlanta, Ga., Nov. 18.

### **JUDGEMENTS.**

Sonhern Railway Company vs. Williams et al.; from Fulton superior court—Judge Pendleton. Affirmed. McDaniel & Black, for plaintiff in error. Moore & Pomeroy, Colquitt & Conyers, contra.

Railroad Commission of Georgia at al. vs. Louisville and Nashville Railroad company; from Fulton—Judge Ellis. Reversed, James K. Hines, Walter McElreath, Mayson & Johnson, for plaintiffs in error. Tye. Peeples & Jordan, McDaniel & Black, contra.

Pulliam vs. Donaldson; from Fulton—Judge Ellis. Affirmed. Calhoun & Connally, for plaintiff in error. Rosser & Brandon, contra.

Scott, trustee, et al. vs. Lansford et al.; from Newton—Judge Roan. Affirmed, with direction. J. S. James, Phil W. Davis, Jr., for plaintiffs in error. R. W. Milner, C. C. King, contra.

Cassidy vs. Howard et al., and Byrd et al. vs. Howard et al.; from Bibb—Judge Matthews. Affirmed in part; reversed in part.

John R. Cooper, Sam B. Hunter, Hall & Roberts, for plaintiffs in error. R. D. Reagin, contra.

Hindman vs. Raper; from Floyd. Rehearing denied.

### **ARGUED AND SUBMITTED.**

J. W. Bailey vs. C. N. Anderson; and vice versa; from Miller.

S. S. Timmons vs. W. E. Bostwick; from Early.

L. J. Strickland vs. Babcock Brothers Lumber company; from Miller.

B. H. Hill vs. J. A. Horsley; from Terrell.

Georgia, Florida & Alabama company vs. Bittick & Mays; from Miller.

Georgia, Florida & Alabama railway company vs. T. J. Nichols; from Randolph.

H. F. Hamil, administrator, vs. W. H. Flowers; from Early.

Connie Powell et. al. vs. D. W. James; from Early.

Bittick & Mays vs. Georgia, Florida & Alabama Railway company; from Miller.

W. J. Cowart vs. E. J. Ingram; from Early.

W. T. Talor et al. vs. W. J. West, executor; from Clay.

W. H. Trippe et al., trustees, vs. E. A. Evans, clerk, et al.; from Early.

J. W. Bailey, vs. H. C. Powell; from Miller.

A. W. Parker vs. Planters Bank of Americus; from Sumter.

Back of Stewart County vs. S. B. Mardre, administratrix, et al.; from Stewart.

Mrs. M. A. Hayslip vs. Mrs. A. J. Fields, administratrix; from Lee.

W. T. Cook vs. A. V. Callaway et al.; from Lee.

---

